

IFW

CASE BS/1-22739/CGM 519/PCT

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Dolores DeCarminie  
Type or print name

Dolores DeCarminie  
Signature

10/31/05  
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PCT NATIONAL STAGE APPLICATION OF

Group Art Unit: 1714

WIEBKE WUNDERLICH-WIPPERT ET AL.

Examiner:

INTERNATIONAL APPLICATION NO. PCT/EP 03/09410

FILED: AUGUST 26, 2003

FOR: METHOD OF PRODUCING COMB OR  
STAR COPOLYMERS USING EPOXY-  
FUNCTIONALIZED NITROXYLETHERS

U.S. APPLICATION NO: 10/524,926

35 USC 371 DATE: FEBRUARY 17, 2005

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

LETTER TO CORRECT FILING RECEIPT

Sir:

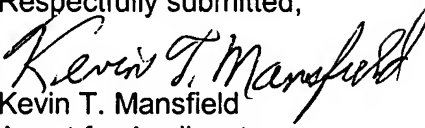
Applicants have now received the filing receipt in the above identified application. However, in viewing the paper, Applicants noted that the **Applicant(s)** information was incorrect. The country where the third inventor resides was listed incorrectly. Enclosed is the title page of the International Publication WO/2004/022617, which shows this to be true. Please issue a corrected filing receipt having this area read:

-- **Applicant(s)** Wiebke Wunderlich-Wippert, Loerrach, GERMANY;  
Rudolf Pfaendner, Rimbach, GERMANY  
Francesco Fuso, Therwil, SWITZERLAND;  
Jochen Fink, Nussloch, GERMANY;--.

Enclosed is a copy of the filing receipt with the correction noted.

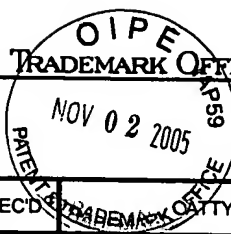
Ciba Specialty Chemicals Corporation  
Patent Department  
540 White Plains Road  
P.O. Box 2005  
Tarrytown, NY 10591-9005  
(914) 785-2783  
TAS/dd  
Encl.: copy of filing receipt  
Date: OCT 31 2005

Respectfully submitted,

  
Kevin T. Mansfield  
Agent for Applicants  
Reg. No. 31,635



## UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	TRADEMARK OFFICE	TY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/524,926	02/17/2005	1714	900		BS/1-22739/CGM 519		18	2

000324  
CIBA SPECIALTY CHEMICALS CORPORATION  
PATENT DEPARTMENT  
540 WHITE PLAINS RD  
P O BOX 2005  
TARRYTOWN, NY 10591-9005

RECEIVED  
Andrea DeCecchis

## FILING RECEIPT



\*OC000000017034948\*

OCT 18 2005

Docket Coordinator  
Patent Department

CONFIRMATION NO. 2955

Date Mailed: 10/11/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Wiebke Wunderlich-Wippert, Lorrach, GERMANY;  
Rudolf Pfaendner, Rimbach, GERMANY;  
Francesco Fuso, Therwil, GERMANY;  
Jochen Fink, Nussloch, GERMANY;

*Switzerland*

Power of Attorney: The patent practitioners associated with Customer Number 000324.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP03/09410 08/26/2003 /

## Foreign Applications

EUROPEAN PATENT OFFICE (EPO) 02405763.0 09/04/2002 ✓

Projected Publication Date: To Be Determined - pending completion of Security Review

Non-Publication Request: No

Early Publication Request: No

*BS/1-22739/CGM 519*

**Title**

Method of producing comb or star copolymers using epoxy-functionalized nitroxylethers ✓

**Preliminary Class**

252

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

---

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof

unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

(19) World Intellectual Property  
Organization  
International Bureau



(43) International Publication Date  
18 March 2004 (18.03.2004)

PCT

(10) International Publication Number  
**WO 2004/022617 A1**

(51) International Patent Classification<sup>7</sup>: **C08F 289/00**

(21) International Application Number:  
**PCT/EP2003/009410**

(22) International Filing Date: 26 August 2003 (26.08.2003)

(25) Filing Language: English

(26) Publication Language: English

(30) Priority Data:  
02405763.0 4 September 2002 (04.09.2002) EP

(71) Applicant (for all designated States except US): **CIBA SPECIALTY CHEMICALS HOLDING INC. [CH/CH];**  
Klybeckstrasse 141, CH-4057 Basel (CH).

(72) Inventors; and

(75) Inventors/Applicants (for US only): **WUNDERLICH, Wlebké [DE/IT];** Via Valdossola, 28, I-40134 Bologna (IT). **PFAENDNER, Rudolf [DE/DE];** Sackgasse 3, 64668 Rimbach (DE). **FUSO, Francesco [IT/CH];** Bienenweg 8, CH-4106 Therwil (CH). **FINK, Jochen [DE/DE];** Kurt-Schumacherstrasse 16, 69226 Nussloch (DE).

(74) Common Representative: **CIBA SPECIALTY CHEMICALS HOLDING INC.;** Patentabteilung, Klybeckstrasse 141, CH-4057 Basel (CH).

(81) Designated States (*national*): AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NI, NO, NZ, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW.

(84) Designated States (*regional*): ARIPO patent (GH, GM, KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IT, LU, MC, NL, PT, RO, SE, SI, SK, TR), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

**Published:**

- with international search report
- before the expiration of the time limit for amending the claims and to be republished in the event of receipt of amendments

For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

(54) Title: **METHOD OF PRODUCING COMB OR STAR COPOLYMERS USING EPOXY-FUNCTIONALIZED NITROXYLETHERS**

(57) Abstract: The present invention provides a method of attaching a polymeric side chain differing in polarity and chemical structure from the backbone and forming a comb or star copolymer structure. In particular the process provides a method of polymerizing in a first step a polymer back bone from epoxy group containing monomers and in a second step polymerizing under controlled radical conditions a comb or star structure onto this back bone.